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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SHIGE TAKIGUCHI, FUMI NONAKA,
MITSUAKI TAKITA, TATSURO SAKAI,
SHIZUKO ISHIMORI, YUKO NAKAMURA,
MASAAKI MORIYA, HATSUNE HATANO, and
HIDENAO TAKAMA, individually and on behalf of
all others similarity situated,

Plaintiff,

v.

MRI INTERNATIONAL, INC., EDWIN J.
FUJINAGA, JUNZO SUZUKI, PAUL MUSASHI
SUZUKI, LVT, INC., dba STERLING ESCROW,
and DOES 1-500,

Defendants.

Case No.: 2:13-cv-01183-HDM-NJK
Hon. Howard D. McKibben

**STIPULATION AND ORDER
ALLOWING PAYMENT OF
DELINQUENT BILLS ASSOCIATED
WITH THE SUZUKIS' REAL
PROPERTY**

1 WHEREAS, on September 18, 2014, the Court entered a preliminary injunction freezing the
2 assets of Defendants Junzo and Paul Musashi Suzuki (the “Suzukis”) with an allowance for “normal
3 living expenses and legal fees.” Dkt No. 183, at 17.

4 WHEREAS, Defendants Junzo and Paul Suzuki and their affiliated entities (“Suzuki
5 Defendants”) and trusts entered into a Settlement Agreement with Plaintiffs on December 11, 2017;

6 WHEREAS, the Settlement Agreement provides that the Suzukis will list and sell real property
7 they own and pay 62% of the net proceeds to Plaintiffs;

8 WHEREAS, the Court preliminarily approved the settlement with the Suzukis by orders dated
9 January 3, 2018 (Dkt. 789) and January 11, 2018 (Dkt.797);

10 WHEREAS, on January 3, 2018, the Court also granted the parties’ stipulation to appoint certain
11 brokers for the sale of real properties (Dkt. 790);

12 WHEREAS, upon performing due diligence on the properties, the brokers notified the parties of
13 unpaid property taxes, maintenance and homeowner’s association fees on most of the properties, totaling
14 \$181,017.32 (“Delinquent Bills”). An excel spreadsheet summarizing the unpaid bills and copies of the
15 invoices are attached hereto as Exhibits A and B, respectively;

16 WHEREAS, the continued failure to pay these taxes and fees may result in the foreclosure of
17 some of the properties;

18 WHEREAS, Plaintiffs agree to the unfreezing of certain assets for the payment of Delinquent
19 Bills, so long as Plaintiffs are reimbursed for advancing the funds upon the sale of the real properties;

20 WHEREAS, on February 1, 2018, the Court authorized First Hawaiian Bank to transfer funds held
21 on behalf of the Junzo Suzuki Irrevocable Trust to Santander Bank, N.A. (Dkt.799); and

22 WHEREAS, the court-appointed claims administrator Heffler Claims Group has confirmed its
23 ability to pay the Delinquent Bills out of funds being held at Santander Bank, N.A. on behalf of the Junzo
24 Suzuki Irrevocable Trust;

25 Based on the forgoing, the parties stipulate as follows:

- 26 1. Heffler Claims Group is directed to pay the following Delinquent Bills out of funds in the
27 account designated for the Junzo Suzuki Irrevocable Trust, totaling \$181,017.32:
28

- 1 a. \$75,114.14 payable to MGM Resorts International for unpaid homeowner's
2 association fees for the property located at 145 E. Harmon Ave. Units 27602, 27604,
3 Las Vegas, Nevada 89109;
- 4 b. 7,356.60 payable to HVVS Owners Association, Inc. for unpaid homeowner's
5 association fees for a timeshare interest at the Hilton Waikiki Hawaiian Village;
- 6 c. \$7,923.27 payable to the City and County of Honolulu for unpaid property taxes for
7 the property located at 445 Seaside Ave., Unit 3014, Honolulu, HI 96815;
- 8 d. \$468.05 payable to Hawaiiana Management for unpaid homeowner's association fees
9 for the property located at 445 Seaside Ave., Unit 3014, Honolulu, HI 96815;
- 10 e. \$20,235.84 payable to the City and County of Honolulu for unpaid property taxes for
11 the property located at 1550 Hoaina Street, Honolulu HI 96821;
- 12 f. \$68,429.77 payable to the City and County of Honolulu for unpaid property taxes for
13 the property located at 398 Puuikena Drive, Honolulu HI 96821; and
- 14 g. \$1,489.75 payable to Hawaiiana Management for unpaid homeowner's association
15 fees for the property located at 1550 Hoaina Street, Honolulu HI 96821;
- 16 2. Plaintiffs shall be credited for the entire amount of the Delinquent Bills paid. Upon the
17 first sale of real property, Plaintiffs shall first be repaid the entire amount of the
18 Delinquent Bills from the net proceeds of that sale, and then the remaining proceeds from
19 the sale shall be distributed as set forth in paragraph 2.3 of the Settlement Agreement.
20

21 Dated: February 2, 2018

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23 By: /s/ James Gibbons
24 JAMES E. GIBBONS
25 STEVEN J. RENICK
26 Attorneys for Plaintiffs
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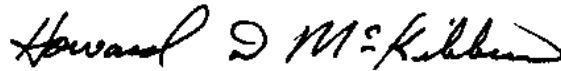
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: February 5, 2018



United States District Judge